

4. Cory Brookins, a/k/a “Sport,” charged elsewhere, was not a federal firearms licensee (“FFL”), and was not authorized to deal, import, or manufacture firearms under federal law.

5. Charlena West, charged elsewhere, was a resident of South Carolina, was not a FFL, and was not authorized to deal, import, or manufacture firearms under federal law.

6. Earlishia Brownlee, a/k/a “Dominique,” charged elsewhere, was a resident of South Carolina, was not a FFL, and was not authorized to deal, import, or manufacture firearms under federal law.

7. Darquis Davis, a/k/a “Justice,” charged elsewhere, was a resident of South Carolina, was not a FFL, and was not authorized to deal, import, or manufacture firearms under federal law.

8. The following businesses possessed an FFL license and were authorized to deal in firearms under federal laws:

FFL	Location
Anderson Gun and Pawn	1309 South Murray Avenue, Anderson, South Carolina
Grady’s Great Outdoors	3440 Clemson Boulevard, Anderson, South Carolina
Academy Sports + Outdoors #154	3423 Clemson Boulevard, Anderson, South Carolina
B&B Sporting Goods and Pawn	2001 South Main Street, Anderson, South Carolina
Palmetto State Armory - Greenville	1040A Woodruff Road, Greenville, South Carolina
Palmetto State Armory - Columbia	3760 Fernandina Road, Columbia, South Carolina
Sportsman’s Warehouse	3795 Clemson Boulevard, Anderson, South Carolina
South Carolina Gun Company	242 West Wade Hampton Boulevard, Greer, South Carolina
City Arsenal	1210 Poinsett Highway, Greenville, South Carolina

9. FFL holders are licensed, among other things, to sell firearms. Various

rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms.

10. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473 (“Form 4473”). Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The Form 4473 contains the following language in bold type: “Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” In the certification section of the Form 4473, the actual buyer must certify that his or her answers to the questions on the form are “true, correct, and complete,” and acknowledge by his or her signature that “making any false oral or written statement . . . is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

11. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth, to ensure that the person was not prohibited from purchasing a firearm.

12. A person who purchases a firearm at the behest of another person and falsely states on the Form 4473 that he or she is the actual buyer of the firearm is known as a “straw purchaser.”

THE CONSPIRACY

13. From at least as early as in or around November 2020 through in or around March 2021, in in the Eastern District of Pennsylvania, the District of South Carolina, and elsewhere, defendant

KYLE MCLEMORE

conspired and agreed with Terrance Darby, a/k/a “Tibbs,” a/k/a “Tibby”; Ontavious Plumer, a/k/a “Toot”; Cory Brookins, a/k/a “Sport”; Charlena West; Earlishia Brownlee, a/k/a “Dominique”; and Darquis Davis, a/k/a “Justice,” each charged elsewhere; and others known and unknown to the grand jury, to commit offenses against the United States, that is, to engage in the business of dealing firearms without being licensed to do so, in violation of Title 18, United States Code, Section 922(a)(1)(A); and to make a false statement with respect to the information required to be kept in the records of a federally licensed firearms dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

14. Ontavious Plumer instructed Charlena West and Earlishia Brownlee to purchase firearms at FFLs in South Carolina, with the intention that these firearms would be transported to Terrance Darby and others in Philadelphia, Pennsylvania.

15. Ontavious Plumer paid Charlena West and Earlishia Brownlee using mobile banking applications, including Cash App, to purchase firearms from FFLs in South Carolina.

16. Charlena West and Earlishia Brownlee purchased firearms from federally licensed firearms dealers in South Carolina, knowing that the firearms were being purchased for

other individuals and that these firearms would be transported to Philadelphia and given to Terrance Darby and others.

17. Charlena West and Earlishia Brownlee falsely stated on the Form 4473 for each firearm purchase that they were the actual purchaser of the firearms, when in fact they knew this statement was false and they purchased the firearms for others, including Terrance Darby.

18. Ontavious Plumer communicated with Cory Brookins and Terrance Darby about the purchases of the firearms by Charlena West and Earlishia Brownlee, and coordinated the transport by West and Darquis Davis of these firearms from South Carolina to Philadelphia, Pennsylvania.

19. Charlena West traveled from South Carolina to Philadelphia, Pennsylvania with the firearms and transferred the firearms to defendant KYLE MCLEMORE, Terrance Darby, and Cory Brookins. Darquis Davis drove West on some occasions.

20. The co-conspirators, including defendant KYLE MCLEMORE, sent payments to each other for the firearms via mobile banking applications, such as Cash App.

21. Defendant KYLE MCLEMORE, Terrance Darby, and Cory Brookins received the purchased firearms and planned to resell the firearms.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania, the District of South Carolina, and elsewhere:

1. On or about November 20 and November 21, 2020, at the direction of Ontavious Plumer, Charlena West purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
11/20/2020	Anderson Gun and Pawn	Beretta, model APX, 9mm semi-automatic pistol	A098483X	Charlena West
11/20/2020	Anderson Gun and Pawn	Beretta, model APX, 9mm semi-automatic pistol	A098465X	Charlena West
11/20/2020	Grady's Great Outdoors	Taurus, Judge series, .45 caliber revolver	ABL097569	Charlena West
11/20/2020	Grady's Great Outdoors	Taurus, Judge series, .45 caliber revolver	ABJ941959	Charlena West
11/20/2020	Grady's Great Outdoors	Taurus, Judge series, .45 caliber revolver	ABK062912	Charlena West
11/20/2020	Grady's Great Outdoors	Taurus, model G3, 9mm semi-automatic pistol	ABJ945226	Charlena West
11/21/2020	Grady's Great Outdoors	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCU0160	Charlena West
11/21/2020	Grady's Great Outdoors	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCW3015	Charlena West
11/21/2020	Grady's Great Outdoors	Ruger, Security-9, 9mm semi-automatic pistol	383-61872	Charlena West
11/21/2020	Academy Sports + Outdoors # 154	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	JFN7241	Charlena West
11/21/2020	Academy Sports + Outdoors # 154	Ruger, Security-9, 9mm semi-automatic pistol	383-84606	Charlena West
11/21/2020	Academy Sports + Outdoors # 154	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCU8997	Charlena West
11/21/2020	Academy Sports + Outdoors # 154	Ruger, Security-9, 9mm semi-automatic pistol	383-69030	Charlena West

2. On or about November 22, 2020, at the direction of Ontavious Plumer, Charlena West transported firearms by car from South Carolina to Philadelphia, Pennsylvania, and gave the firearms to defendant KYLE MCLEMORE.

3. On or about November 27 and November 28, 2020, at the direction of Ontavious Plumer, Charlena West and Earlishia Brownlee purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
11/27/2020	Grady's Great Outdoors	Glock, model 48, 9mm semi-automatic pistol	BRUD021	Charlena West
11/27/2020	Grady's Great Outdoors	Smith & Wesson, model SD9, 9mm semi-automatic pistol	FCJ0371	Charlena West
11/27/2020	Grady's Great Outdoors	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCR2029	Charlena West
11/27/2020	B&B Sporting Goods and Pawn	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	HEY8477	Charlena West
11/27/2020	B&B Sporting Goods and Pawn	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FBB2962	Charlena West
11/27/2020	B&B Sporting Goods and Pawn	Smith & Wesson, model 4040, .40 caliber semi-automatic pistol	USC9960	Charlena West
11/27/2020	Palmetto State Armory - Greenville	Glock, model 44, .22 caliber semi-automatic pistol	AEMA839	Earlishia Brownlee
11/27/2020	Palmetto State Armory - Greenville	Glock, model 43, 9mm semi-automatic pistol	AEWG856	Earlishia Brownlee
11/27/2020	Palmetto State Armory - Greenville	Glock, model 43, 9mm semi-automatic pistol	AEWV822	Earlishia Brownlee
11/28/2020	Palmetto State Armory - Greenville	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCV9142	Charlena West
11/28/2020	B&B Sporting Goods and Pawn	Glock, model 44, .22 caliber semi-automatic pistol	AEHK404	Earlishia Brownlee
11/28/2020	B&B Sporting Goods and Pawn	Glock, model 44, .22 caliber semi-automatic pistol	AEFZ395	Earlishia Brownlee
11/28/2020	B&B Sporting Goods and Pawn	Smith & Wesson, model 4046, .40 caliber semi-automatic pistol	TDS8937	Earlishia Brownlee
11/28/2020	B&B Sporting Goods and Pawn	Smith & Wesson, model M&P 45, .22 caliber semi-automatic pistol	HST6669	Earlishia Brownlee

4. On or about December 1, 2020, Terrance Darby told defendant KYLE MCLEMORE that he had sold two Glock pistols the previous night. MCLEMORE responded,

“good ... got one sold this afternoon.”¹

5. On or about December 27, 2020, Terrance Darby told Ontavious Plumer that Darby had requests for FN firearms, and asked if Plumer was “still able to make it happen.” Plumer responded that he could “make it happen” and quoted Darby a price of “12-1600” for “the ones that shoot 9 mm bullets.”

6. On or about December 31, 2020, defendant KYLE MCLEMORE sent \$1,000 to Terrance Darby using Cash App.

7. In late December 2020 and early January 2021, Ontavious Plumer and Terrance Darby agreed that Plumer would supply guns to Darby in Philadelphia for approximately \$6,800, in exchange for Darby sending controlled substances to South Carolina.

8. On or about January 8, 2021, at the direction of Ontavious Plumer, Charlena West and Earlishia Brownlee purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/8/2021	Sportsman's Warehouse	Glock, model 19, 9mm semi-automatic pistol	BNYP686	Charlena West
1/8/2021	Sportsman's Warehouse	Beretta, model APX, 9mm semi-automatic pistol	A118611X	Charlena West
1/8/2021	Grady's Great Outdoors	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCR9812	Charlena West
1/8/2021	Grady's Great Outdoors	Taurus, model G3, 9mm semi-automatic pistol	ABN377437	Charlena West
1/8/2021	Grady's Great Outdoors	Glock, model 19, 9mm semi-automatic pistol	BEBG379	Charlena West
1/8/2021	Grady's Great Outdoors	Smith & Wesson, M&P9 Shield, 9mm semi-automatic pistol	RJL8351	Earlishia Brownlee
1/8/2021	Grady's Great Outdoors	Glock, model 43, 9mm semi-automatic pistol	RJL9085	Earlishia Brownlee

¹ The quoted communications occurred via text messages among the co-conspirators. Unless specifically indicated, the quoted communications bear the same spelling, punctuation, and grammar as found in the originals of these records.

1/8/2021	Grady's Great Outdoors	Glock, model 43, 9mm semi-automatic pistol	RJJ3740	Earlishia Brownlee
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9. On or about January 8, 2021, Ontavious Plumer told Terrance Darby, "Asa hit me I'm coming your way tomorrow wit straps n I need da dog." Darby asked in response, "What u bringing?" Plumer responded that he would try to obtain 10 firearms, and Darby responded, "... hope all new. Don't wanna get stuck wit nothing used."

10. On or about January 9, 2021:

- a. Ontavious Plumer told Terrance Darby that he had "8 total." Plumer told Darby that it would cost "6800 for da 8 guns."
- b. At the direction of Ontavious Plumer, Charlena West transported firearms by car from South Carolina to Philadelphia, Pennsylvania and gave the firearms to Terrance Darby.

11. On or about January 10, 2021, Terrance Darby sent defendant KYLE MCLEMORE pictures of several firearms with corresponding prices, including a Smith & Wesson, model M&P9 Shield, 9mm semiautomatic pistol bearing serial number RJJ3740 purchased by Earlishia Brownlee on January 8, 2021; a Beretta, model APX, 9mm semiautomatic pistol bearing serial number A118611X purchased by Charlena West on January 8, 2021; and a Taurus, model G3, 9mm semiautomatic pistol bearing serial number ABN377437 purchased by West on January 8, 2021.

12. On or about January 10, 2021, Ontavious Plumer told Earlishia Brownlee to purchase certain firearms, to which Brownlee responded, "Okay."

13. On or about January 10 and January 11, 2021, at the direction of Ontavious Plumer, Earlishia Brownlee purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/10/2021	Palmetto State Armory - Greenville	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCL3090	Earlishia Brownlee
1/10/2021	Palmetto State Armory - Greenville	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCR1969	Earlishia Brownlee
1/11/2021	Anderson Gun and Pawn	Kahr, model CW45, .45 caliber semi-automatic pistol	SG3002	Earlishia Brownlee

14. On or about January 12, 2021, Ontavious Plumer told Terrance Darby that he had firearms, and that these firearms would be transported to Darby. Plumer asked Darby for a “pay advance.”

15. On or about January 13, 2021, at the direction of Ontavious Plumer, Charlena West and Darquis Davis transported firearms by car from South Carolina to Philadelphia, Pennsylvania, and gave the firearms to Terrance Darby.

16. On or about January 14, 2021, at the direction of Ontavious Plumer, Charlena West purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/14/2021	South Carolina Gun Company	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	NEJ0435	Charlena West
1/14/2021	South Carolina Gun Company	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	HLH1207	Charlena West
1/14/2021	South Carolina Gun Company	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	HLL8291	Charlena West

17. On or about January 15, 2021, Ontavious Plumer sent Terrance Darby photographs of three firearms, and told Darby that these were “all 40s.” Plumer told Darby that he would be “getting [the] rest in the am” and that these firearms would cost \$1,100. Darby confirmed that he wanted these firearms. Plumer responded that he would pick up some more

“hardware” and then would be “hitting road.”

18. On or about January 17, 2021, at the direction of Ontavious Plumer, Charlena West purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/17/2021	Palmetto State Armory - Columbia	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCN8128	Charlena West
1/17/2021	Palmetto State Armory - Columbia	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCZ6643	Charlena West
1/17/2021	Palmetto State Armory - Columbia	Taurus, model GC3, 9mm semi-automatic pistol	ABN361120	Charlena West

19. On or about January 17, 2021, Ontavious Plumer told Cory Brookins that he had six brand new firearms for \$7,200. Plumer told Brookins that the firearms were on the way to be delivered to Brookins.

20. On or about January 18, 2021, Ontavious Plumer told Terrance Darby that the firearms were being transported to “your city.” Plumer then asked Darby if he had “ice,” to which Darby responded that it would cost \$5,000 per bag.

21. On or about January 18, 2021, at the direction of Ontavious Plumer, Charlena West and Darquis Davis transported firearms by car from South Carolina to Philadelphia, Pennsylvania and gave the firearms to Terrance Darby. Cory Brookins was present when West and Davis gave some of the firearms to Darby.

22. On or about January 19, 2021, Terrance Darby sent defendant KYLE MCLEMORE pictures of several firearms with corresponding prices, including a Smith & Wesson, model M&P40, .40 caliber semiautomatic pistol bearing serial number NEJ0435 purchased by WEST on January 14, 2021; and a Taurus, model G3, 9mm semiautomatic pistol

bearing serial number ABN361120 purchased by WEST on January 17, 2021.

23. On January 21 and 22, 2021, Terrance Darby sent Cory Brookins numerous photographs of numerous firearms, including a Smith & Wesson, model SD40VE, .40 caliber semiautomatic pistol bearing serial number FCL3090 that was purchased by Earlishia Brownlee on January 10, 2021; a Smith & Wesson, model M&P40, .40 caliber semiautomatic pistol bearing serial number NEJ0435 that was purchased by Charlena West on January 14, 2021; and a Taurus, model G3, 9mm semiautomatic pistol bearing serial number ABN361120 that was purchased by West on January 17, 2021. Darby said to Brookins, "I'm in," and Brookins said, "Bet."

24. On or about January 21, 25 and 26, 2021, at the direction of Ontavious Plumer, Charlena West and Earlishia Brownlee purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/21/2021	B&B Sporting Goods and Pawn	Ruger, model SR9c, 9mm semi-automatic pistol	339-18799	Earlishia Brownlee
1/21/2021	B&B Sporting Goods and Pawn	Smith & Wesson, model M&P, semi-automatic pistol	NFD1490	Earlishia Brownlee
1/25/2021	Anderson Gun and Pawn	Springfield Defender, 9mm semi-automatic pistol	BY565525	Earlishia Brownlee
1/25/2021	Anderson Gun and Pawn	Smith & Wesson, model MP40C, .40 caliber semi-automatic pistol	HRX7505	Earlishia Brownlee
1/25/2021	B&B Sporting Goods and Pawn	Ruger, model 9E, 9mm semi-automatic pistol	338-1248	Earlishia Brownlee
1/25/2021	B&B Sporting Goods and Pawn	Smith & Wesson, model SW9GVE, 9mm semi-automatic pistol	PB23904	Earlishia Brownlee
1/26/2021	B&B Sporting Goods and Pawn	Taurus, model G2C, 9mm semi-automatic pistol	ABL194818	Charlena West

25. On or about January 25 and 26, 2021, Ontavious Plumer and Charlena West discussed purchasing firearms and transporting them to Philadelphia, Pennsylvania. On January 26, 2021, Plumer told West to purchase firearms and drive to Philadelphia. West

responded that he/she was on his/her way to Philadelphia with firearms. Plumer told West that she would be meeting Cory Brookins, and provided Brookins's cell phone number.

26. On or about January 26, 2021, Terrance Darby sent \$1,000 to defendant KYLE MCLEMORE using Cash App.

27. On or about January 27, 2021, at the direction of Ontavious Plumer, Charlena West and Darquis Davis transported firearms by car from South Carolina to Philadelphia, Pennsylvania, and gave the guns to Cory Brookins.

28. On or about January 28, 2021, at the direction of Ontavious Plumer, Charlena West purchased the following firearms:

Date of Purchase	Federal Firearms Licensee	Firearm	Serial Number	Purchaser
1/28/2021	Palmetto State Armory	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCY5101	Charlena West
1/28/2021	Palmetto State Armory	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCZ3184	Charlena West
1/28/2021	Palmetto State Armory	Taurus, model GC3, 9mm semi-automatic pistol	ABN357074	Charlena West
1/28/2021	City Arsenal	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCY1145	Charlena West
1/28/2021	City Arsenal	FN Herstal, model 503, 9mm semi-automatic pistol	CV010947	Charlena West
1/28/2021	Grady's Great Outdoors	FN Herstal, model 503, 9mm semi-automatic pistol	CV014843	Charlena West

29. On or about January 30, 2021, Terrance Darby sent \$350 to defendant KYLE MCLEMORE using Cash App.

30. On or about February 5, 2021, Ontavious Plumer told Charlena West that he would like West to take another trip to Philadelphia. West then told Darquis Davis, "we mite be going to philly soon." Davis responded, "Okay let him know my price is \$500." West

responded, "He knows."

31. On or about February 5, 2021, Cory Brookins sent Terrance Darby \$1,100 using Cash App.

32. On or about February 8, 2021, defendant KYLE MCLEMORE sent Terrance Darby messages about several kinds of firearms, including a "new 40 beretta micro drake," an "AR [pistol]", and an "mp7 A1". Darby replied that "[t]hey got Ruger AR 556" and "Mini dracos", and sent screenshots of firearms from the websites of Academy Sports and Outdoors and Palmetto State Armory, both of which are FFLs from which Charlena West and Earlishia Brownlee purchased firearms. Defendant MCLEMORE responded by "loving" the images.

33. On or about February 8, 2021, defendant KYLE MCLEMORE sent Terrance Darby \$2,000 using Cash App.

34. On or about February 10, 2021, Ontavious Plumer told Charlena West to leave for Philadelphia the next morning.

35. On or about February 10, 2021, Terrance Darby sent Cory Brookins \$650 using Cash App.

36. On or about February 11, 2021, at the direction of Ontavious Plumer, Charlena West and Darquis Davis transported firearms by car from South Carolina to Philadelphia, Pennsylvania, and gave the guns to Terrance Darby.

37. On February 12, 2021, Cory Brookins sent \$1,000 to a Cash App account belonging to Ontavious Plumer's sister. At various times throughout the conspiracy, Plumer instructed members of the conspiracy to transfer money to that account.

38. On or about March 9, 2021, Terrance Darby sent defendant KYLE

MCLEMORE pictures of two firearms with corresponding prices, and asked, “Where u want the merch?” Defendant MCLEMORE responded, “Under the couch cushion.”

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this superseding indictment:

1. Paragraphs 1, 14 through 20, and Overt Acts 1 through 38 of Count One are incorporated here.
2. From at least in or about November 2020 through in or about March 2021, in the Eastern District of Pennsylvania, the District of South Carolina, and elsewhere, defendant

KYLE MCLEMORE

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code, and aided and abetted the same.

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1)(D) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2020, in Philadelphia, in the Eastern District of Pennsylvania, defendant

KYLE MCLEMORE,

knowing he had previously been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, at least one of the following: a Ruger, model Security 9, 9mm semi-automatic pistol, bearing serial number 383-61872; a Smith & Wesson, model MP40, .40 caliber semi-automatic pistol, bearing serial number JFN7241; a Smith & Wesson, model SD40, .40 caliber semi-automatic pistol, bearing serial number FCU0160; and a Smith & Wesson, model SD40, .40 caliber semi-automatic pistol, bearing serial number FCW3015; and the firearm was in and affecting interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violation of Title 18, United States Code, Sections 371, 922(a)(1)(A), 924(a)(1)(D) and 922(g)(1), set forth in this superseding indictment, defendant

KYLE MCLEMORE

shall forfeit to the United States of America the firearms involved in the commission of such violations, including:

#	Firearm	Serial Number
1	Beretta, model APX, 9mm semi-automatic pistol	A098483X
2	Beretta, model APX, 9mm semi-automatic pistol	A098465X
3	Taurus, Judge series, .45 caliber revolver	ABL097569
4	Taurus, Judge series, .45 caliber revolver	ABJ941959
5	Taurus, Judge series, .45 caliber revolver	ABK062912
6	Taurus, model G3, 9mm semi-automatic pistol	ABJ945226
7	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCU0160
8	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCW3015
9	Ruger, Security-9, 9mm semi-automatic pistol	383-61872
10	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	JFN7241
11	Ruger, Security-9, 9mm semi-automatic pistol	383-84606
12	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCU8997
13	Ruger, Security-9, 9mm semi-automatic pistol	383-69030
14	Glock, model 48, 9mm semi-automatic pistol	BRUD021
15	Smith & Wesson, model SD9, 9mm semi-automatic pistol	FCJ0371
16	Smith & Wesson, model SD40, .40 caliber semi-automatic pistol	FCR2029
17	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	HEY8477
18	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FBB2962
19	Smith & Wesson, model 4040, .40 caliber semi-automatic pistol	USC9960
20	Glock, model 44, .22 caliber semi-automatic pistol	AEMA839
21	Glock, model 43, 9mm semi-automatic pistol	AEWG856
22	Glock, model 43, 9mm semi-automatic pistol	AEWV822

23	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCV9142
24	Glock, model 44, .22 caliber semi-automatic pistol	AEHK404
25	Glock, model 44, .22 caliber semi-automatic pistol	AEFZ395
26	Smith & Wesson, model 4046, .40 caliber semi-automatic pistol	TDS8937
27	Smith & Wesson, model M&P 45, .22 caliber semi-automatic pistol	HST6669
28	Glock, model 19, 9mm semi-automatic pistol	BNYP686
29	Beretta, model APX, 9mm semi-automatic pistol	A118611X
30	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCR9812
31	Taurus, model G3, 9mm semi-automatic pistol	ABN377437
32	Glock, model 19, 9mm semi-automatic pistol	BEBG379
33	Smith & Wesson, M&P9 Shield, 9mm semi-automatic pistol	RJL8351
34	Glock, model 43, 9mm semi-automatic pistol	RJL9085
35	Glock, model 43, 9mm semi-automatic pistol	RJJ3740
36	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCL3090
37	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCR1969
38	Kahr, model CW45, .45 caliber semi-automatic pistol	SG3002
39	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	NEJ0435
40	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	HLH1207
41	Smith & Wesson, model MP40, .40 caliber semi-automatic pistol	HLL8291
42	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCN8128
43	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCZ6643
44	Taurus, model GC3, 9mm semi-automatic pistol	ABN361120
45	Ruger, model SR9c, 9mm semi-automatic pistol	339-18799
46	Smith & Wesson, model M&P, semi-automatic pistol	NFD1490
47	Springfield Defender, 9mm semi-automatic pistol	BY565525
48	Smith & Wesson, model MP40C, .40 caliber semi-automatic pistol	HRX7505
49	Ruger, model 9E, 9mm semi-automatic pistol	338-1248
50	Smith & Wesson, model SW9GVE, 9mm semi-automatic pistol	PB23904
51	Taurus, model G2C, 9mm semi-automatic pistol	ABL194818

52	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCY5101
53	Smith & Wesson, model SD9VE, 9mm semi-automatic pistol	FCZ3184
54	Taurus, model GC3, 9mm semi-automatic pistol	ABN357074
55	Smith & Wesson, model SD40VE, .40 caliber semi-automatic pistol	FCY1145
56	FN Herstal, model 503, 9mm semi-automatic pistol	CV010947
57	FN Herstal, model 503, 9mm semi-automatic pistol	CV014843

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

VJR/for

JACQUELINE C. ROMERO
United States Attorney

No. 23-CR-00393

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

KYLE MCLEMORE

SUPERSEDING INDICTMENT

Counts

18 U.S.C. § 371 (conspiracy – 1 count)

18 U.S.C. § 922(a)(1)(A) (dealing in firearms without a license – 1 count)

18 U.S.C. § 922(g)(1) (possession of firearm by a felon – 1 count)

Bail, \$ _____
